

Pre-CERCLIS Screening Assessment

Region 7

Ronald King

ASTSWMO 2003 Mid-Year Meeting

April 16-17, 2003

“Powering Up Waste Management Partnerships for Success”

“Goal: To improve knowledge about sites. Looking for having a hand in making this job easier and partnering with States, industries, Cities and county officials to leverage all available resources.”

Marianne Horinko, Assistant Administrator
EPA-OSWER

Site Assessment State Empowerment Pilot Project

- In FY 1997, the Kansas Department of Health and Environment (KDHE) under a multiple-site Cooperative Agreement began the Site Assessment State Empowerment Pilot Project.
- Under this pilot, the KDHE uses site assessment funds for Pre-CERLCIS Screenings that had traditionally not been included or recognized in site assessment.
- This work includes discovery, initial site screenings, site reconnaissance and evaluations, preliminary removal assessments, and supplemental sampling.

(con't)

Site Assessment State Empowerment Pilot Project

- During FY 1997, Region 7 became concerned that the KDHE's Pilot could possible be considered as an illegal expenditure of Superfund dollars
- EPA Headquarters was contacted regarding this Regional concern and asked the following questions:
 - Whether EPA may legally spend CERCLA funds to investigate sites before they have been entered onto CERCLIS; and
 - Whether EPA may provide funds for States to conduct similar investigations before CERCLIS entry.

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Site Assessment State Empowerment Pilot Project

- In response to Region 7's questions, the EPA Office of General Counsel provided an opinion that the KDHE's pilot was consistent with CERCLA 104.
- Specifically, CERCLA 104(a) provides EPA with broad authority to take response actions whenever there is a release or substantial threat of a release of a hazardous substance, or whenever a release or substantial threat of a release of a pollutant or contaminant may present an imminent and substantial danger to the public health or welfare. Under CERCLA 104(b), EPA may undertake any "investigation, monitoring, surveys, testing , and other information gathering" deemed necessary or appropriate to identify the existence and extent of the release or threat .
- In addition, CERCLA 104 (d)(1) authorizes, EPA to enter into a cooperative agreement with a State to carry out any action authorized under 104.

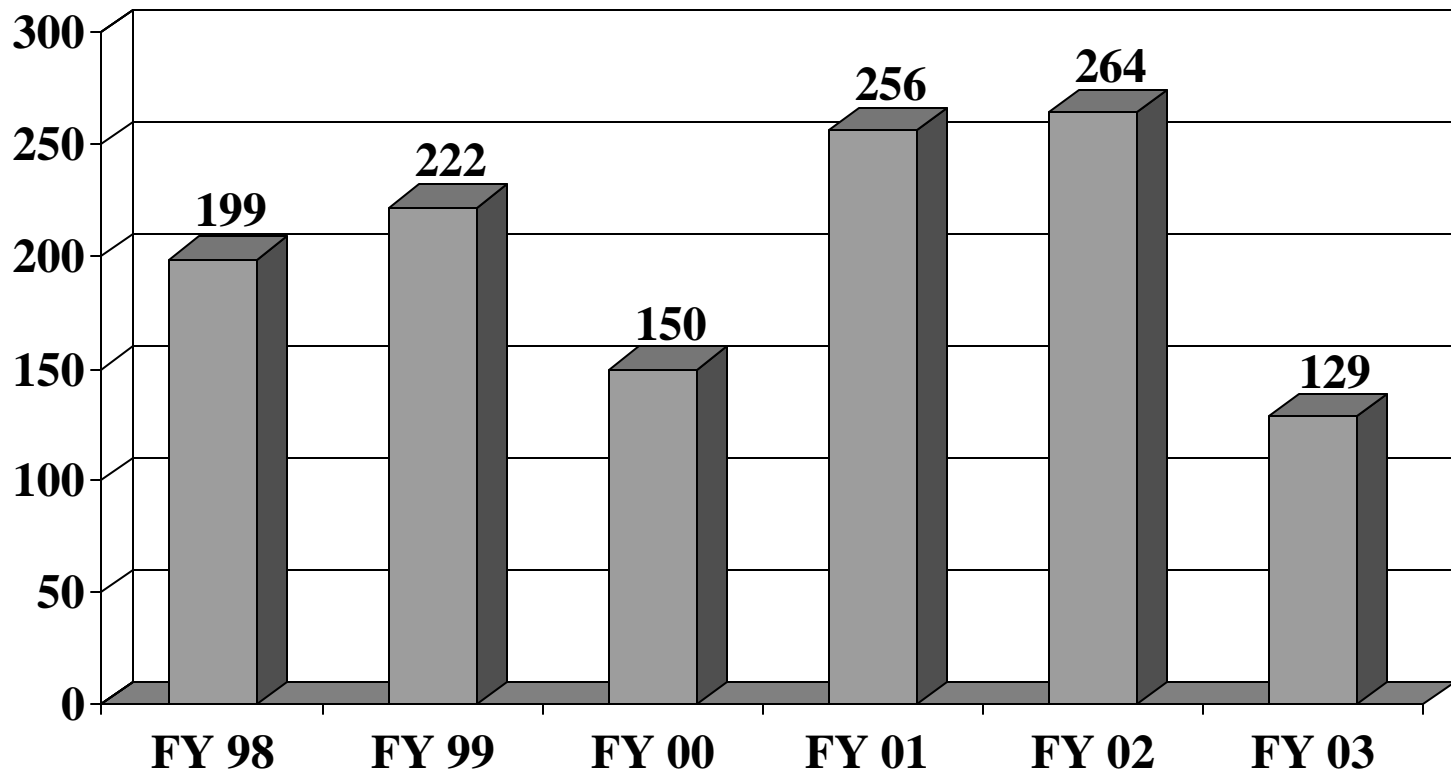
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Site Assessment State Empowerment Pilot Project

The findings of the Pilot were:

- The KDHE was very capable of conducting the Pre-CERCLIS Screenings;
- KDHE is evaluating many more sites at considerably less expense than through the traditional EPA process.
- Sites where environmental data was collected and there were either environmental or public health concerns, these sites can be addressed by the State's Voluntary Cleanup Program (VCP) or other state environmental program.
- Those sites entering the State's VCP are sites that meet the following factors:
 - a PRP willing to conduct any further investigation and cleanup;
 - a PRP that is financially viable to conduct the cleanup; and
 - the site is usually less complex sites

Region 7 and our States have an active Pre-CERCLIS Screening Assessment Program. Since the issuance of the draft guidance in 1997, Region 7 and our states have completed 1,200 assessments



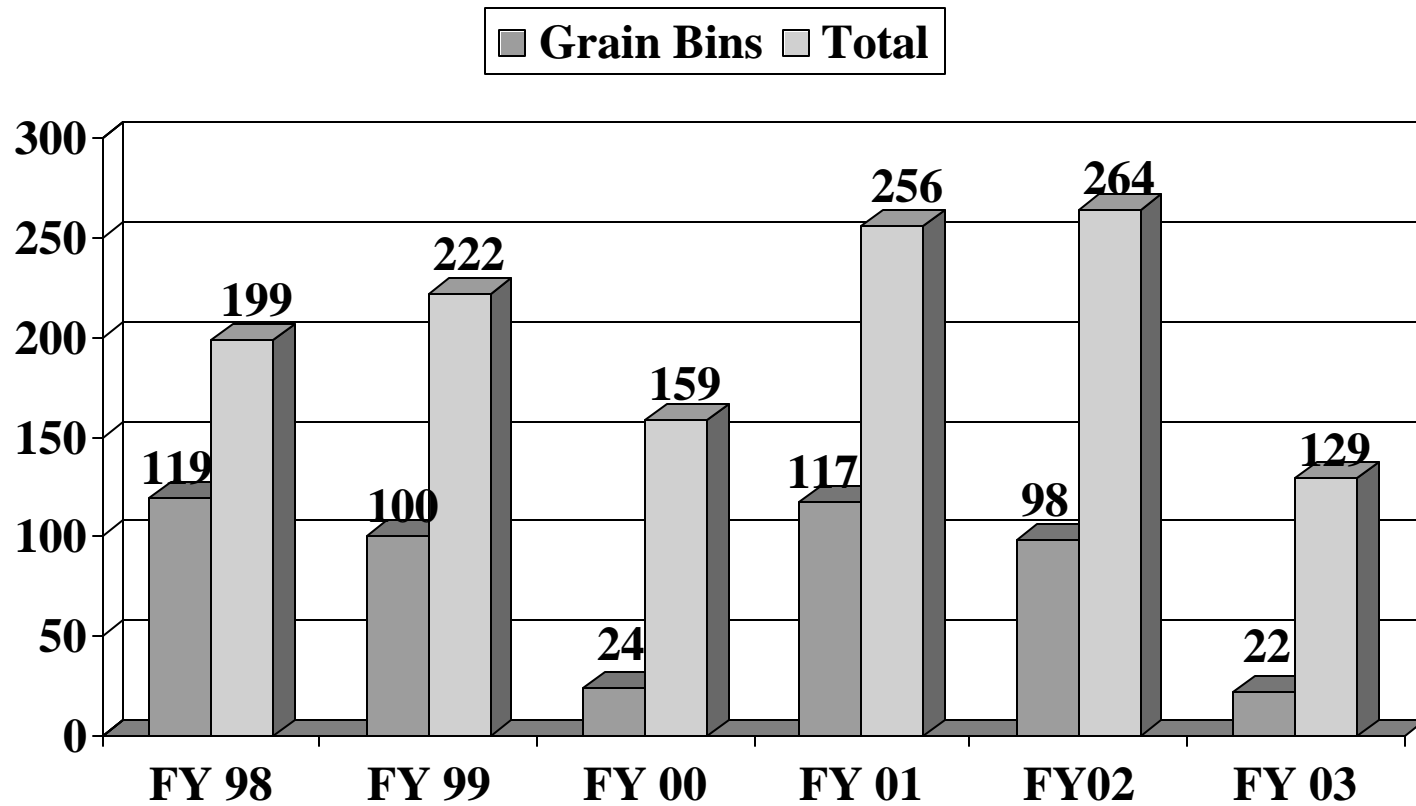
Region 7 and our States have used the Pre-CERCLIS Screening Assessment Program to target similar site types and contaminants

- **Site Types**
 - **Former Commodity Credit Corporation/United States Department of Agriculture (CCC/USDA) Grain Bin Facilities**
 - **Former and Active Wood Treaters Facilities**
 - **Lead\Battery Smelter/Refiner Facilities**
 - **Emergency Removal Sites**
 - **Formerly Used Sites Remedial Action Program (FUSRAP)**
 - **Former Compressor Stations**
 - **Formerly Used Defense Sites (FUDS)**
- **Contaminants**
 - **Carbon Tetrachloride**
 - **Perchlorate**
 - **Lead**
 - **Mercury**

CCC/USDA Grain Bin Facilities Sites

- The Commodity Credit Corporation (CCC), a government corporation of the USDA, operated a large number of grain facilities throughout the Midwest from the 1940's to the 1970's. The grain stored at these facilities were treated with fumigant mixtures composed primarily of 80% carbon tetrachloride and 20% carbon disulfide
- The objective of Region 7's Pre-CERCLIS Screening Assessment effort was to identify public and private water supplies that have been effected or that may be at risk from past grain fumigation operations.

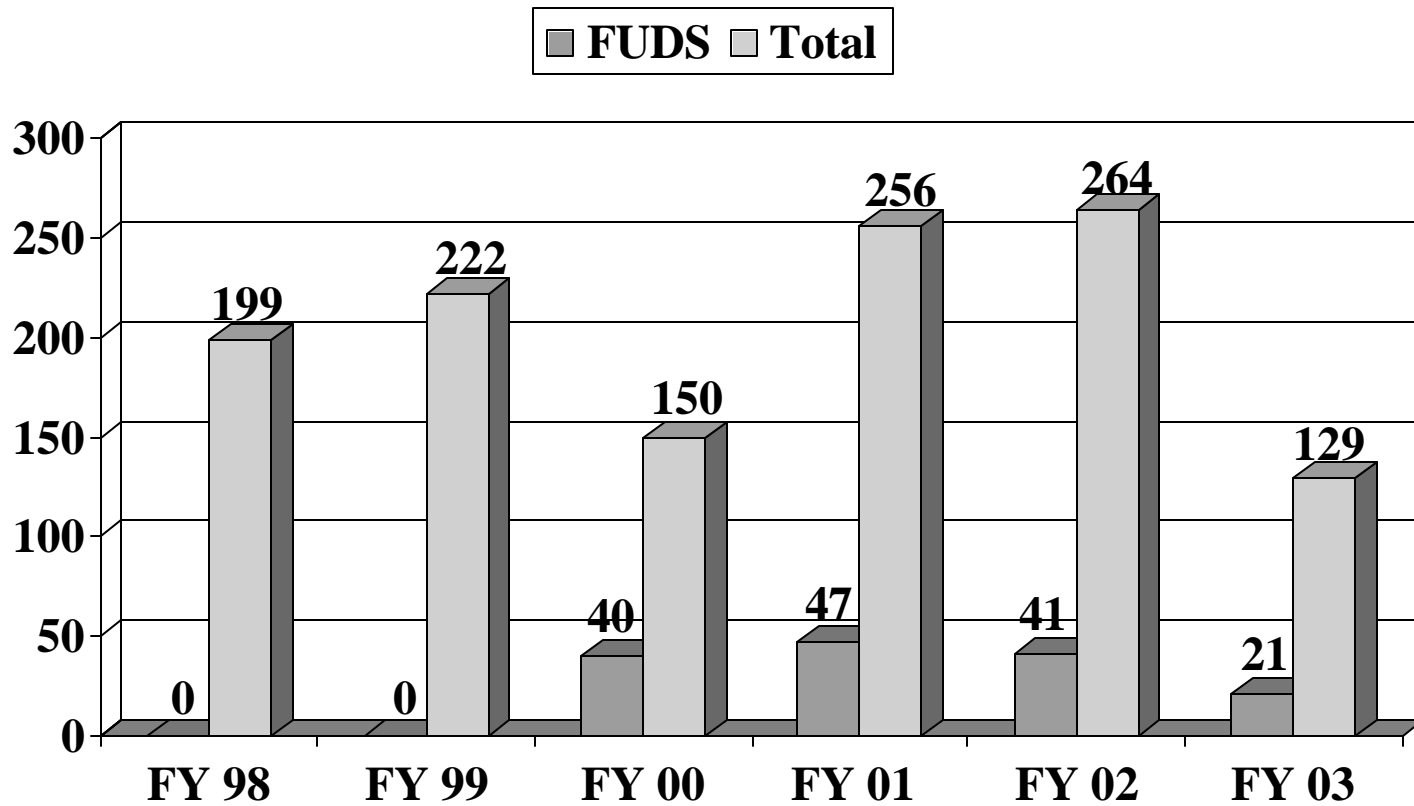
CCC/USDA Grain Bin Facilities Sites
Region 7 Pre-CERLCIS Screening Assessment Completions



Formerly Utilized Defense Sites(FUDS)

- FUDS are sites which were previously under the jurisdiction of the Department of Defense (DoD) and owned by, leased to, or otherwise possessed by the United States at the time of actions leading to contamination by hazardous substances.
- The objective of Region 7's Pre-CERCLIS Screening Assessment effort was to conduct a desk-top review of the reports and other information that is available on these sites to determine if there are actual or potential environmental or public health risks that need further site assessment investigations.

Formerly Utilized Defense Sites (FUDS)
Region 7 Pre-CERLCIS Screening Assessment Completions



HISTORICAL TREND
REGION 7

FISCAL YEAR	Pre-CERCLIS SCREENINGS	DISCOVERY
1994	N/A	75
1995	N/A	93
1996	N/A	57
1997	unknown	40
1998	199	36
1999	222	64
2000	150	82
2001	256	79
2002	264	48
2003	129	33

Kansas Department of Environment and Health Historical Trend

Fiscal Year	Pre-CERCLIS Screenings Completed	Sampling included	Average Number of Samples/Site	Discovery
1997	40	35	6	5
1998	39	34	6	14
1999	34	30	6	7
2000	32	30	7	15
2001	27	26	5	8
2002	32	24	6	4
Totals	204	179	--	53